

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

In Re: § Case No. 24-10119-smr  
1001 WL, LLC, § Chapter 11  
Debtor. §

**APPLICATION FOR RETENTION OF GRAVES DOUGHERTY HEARON & MOODY,  
PC AS COUNSEL FOR THE ESTATE PURSUANT TO 11 U.S.C. §327(a)**

This pleading requests relief that may be adverse to your interests.

If no timely response is filed within 21 days from the date of service, the relief requested herein may be granted without a hearing being held.

A timely filed response is necessary for a hearing to be held.

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

COMES NOW John Patrick Lowe, Trustee ("Trustee"), the duly appointed and acting Chapter 11 trustee in the above-captioned bankruptcy case, and hereby files his *Application for Retention of Graves Dougherty Hearon & Moody, PC as Counsel for the Estate Pursuant to 11 U.S.C. §327(a)*, and would show the Court as follows:

1. This case was filed on February 6, 2024 (the "Petition Date") under Chapter 11 of title 11 of the United States Code.

2. On January 23, 2024, the Trustee was appointed by order of the Court [Dkt. No. 647].

3. In this proceeding, there are legal matters requiring the services of an attorney, including but not necessarily limited to, representing and advising the Trustee with respect to efforts to liquidate assets of the bankruptcy estate (the "Estate"), in performing his due diligence with respect to investigation and prosecution of potential claims asserted by or against the Estate, investigation and pursuit of avoidance actions, analysis of and objections to claim, and other

matters that may arise during the administration of the Estate.

4. The Trustee seeks to employ GDHM as his attorneys with regards to matters related to the Estate. It is in the best interest of the Estate that GDHM be employed to represent the Trustee as counsel. Brian T. Cumings, the primary attorney for GDHM in this matter, is a Licensed Attorney in good standing with the State Bar of Texas Mr. Cumings has experience in matters like those present in this case and frequently represents bankruptcy trustees in this District. The attorneys at GDHM have extensive experience dealing with litigation matters such as may arise during the pendency of this bankruptcy case. The Trustee believes that it is in the best interest of the Estate to employ GDHM to represent the Trustee generally.

5. GDHM has no interest adverse to the Estate. Attached hereto as **Exhibits 1 and 2**, respectively, are the Disclosure of Compensation under 11 U.S.C. §329 and Bankruptcy Rule 2016(b) and the Declaration of Brian T. Cumings, that GDHM has no interest adverse to this estate. As reflected therein, on August 26, 2024, counsel for creditor TIG Romspen US Master Mortgage LP (“Romspen”) reached out to GDHM to run conflicts regarding potentially being conflicts counsel with respect to testimony to be given by CBRE on August 28, 2024. GDHM ran and cleared conflicts, but was not retained and did not receive any information beyond that disclosed here.

6. The attorneys of GDHM will charge their normal hourly rates. The attorney who will be primarily responsible is Brian T. Cumings, whose current hourly rate is \$525.00, which may be adjusted upward at the beginning of each calendar year. From time to time, assistance may be provided by other attorneys with GDHM at their then-standard hourly rates, which at present range from \$285.00 to \$650.00. Paralegals and Administrative Staffs will charge \$20.00-\$250.00. The attorneys will also be entitled to reimbursement of reasonable expenses, attached hereto as

**Exhibit 3** is the fee agreement of GDHM. No compensation will be paid until a fee application has been filed and approved by the court, pursuant to 11 U.S.C. §330 and the requirements of any other applicable law.

7. A list of other bankruptcy cases in which GDHM currently represents John Patrick Lowe in his capacity as bankruptcy trustee is attached hereto as **Exhibit 4**.

8. GDHM maintains an office for practice of law at 401 Congress Avenue, Suite 2700, Austin, TX 78701, telephone (512) 480-5626, fax (512) 536-9926.

WHEREFORE PREMISES CONSIDERED, John Patrick Lowe, Chapter 11 Trustee, prays that he be authorized to retain Graves Dougherty Hearon & Moody PC, as his attorneys, and for other just relief.

Respectfully submitted,

By:/s/ John Patrick Lowe

John Patrick Lowe, Chapter 11 Trustee

GRAVES, DOUGHERTY, HEARON & MOODY, P.C.  
401 Congress Avenue, Suite 2700  
Austin, TX 78701  
Telephone: 512.480.5626  
Facsimile: 512.536.9926  
bcumings@gdhm.com

By:/s/ Brian T. Cumings

Brian T. Cumings

**COUNSEL FOR JOHN PATRICK  
LOWE, CHAPTER 11 TRUSTEE**

**CERTIFICATE OF SERVICE**

I hereby certify that the above and foregoing Application has been served by the Court's ECF e-filing notification on all parties receiving such notices on January 23, 2025, and as reflected below and the Notice of Employment is being served to those on the Service List appended to this Application.

Office of the United States Trustee  
903 San Jacinto, Room 230  
Austin, TX 78701

1001 WL, LLC  
2450 Wickersham Lane, Suite 202  
Austin, TX 78741  
*Debtor*

John Patrick Lowe, Chapter 11 Trustee  
2402 East Main Street  
Uvalde, TX 78801

Stephen W. Sather  
Barron & Newburger, PC  
7320 N. MoPac Expy, Suite 400  
Austin, TX 78731  
*Debtor's Counsel*

By:/s/ Brian T. Cumings  
Brian T. Cumings